

ARIZONA STATE SENATE

RESEARCH STAFF



TO: MEMBERS OF THE SENATE
HEALTH AND HUMAN SERVICES
COMMITTEE

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DATE: March 14, 2016

SUBJECT: Strike everything amendment to H.B. 2107, relating to structured sober living homes

Purpose

Allows a city, town or county to adopt by ordinance standards for structured sober living homes and outlines what these standards may address.

Background

The Ad Hoc Committee on Drug Rehab Recovery Homes (Committee) was established to conduct a review of drug rehab recovery homes to examine how to best provide oversight through exploring the benefits and feasibility of licensing, regulating, registering or certifying drug rehab recovery homes. The Committee was also charged with documenting the number of drug rehab recovery homes and related treatment facilities and services operating in the state, the types of operational affiliations, the standards and requirements necessary to protect the health and safety of the residents of homes, and any community issues created by the operation of drug rehab recovery homes, including impacts on neighborhoods and surrounding areas.

The Committee, through four public meetings, studied the issue of drug rehab recovery homes/structured sober living homes. As a matter of statewide concern, the Committee determined that there have been a growing number of unregulated drug rehab recovery homes/structured sober living homes operating throughout Arizona. Based on this finding, the Committee recommended, on November 18, 2015, that legislation be drafted to allow cities, towns and counties to regulate health, safety and personnel standards for structured sober living homes and to adopt ordinances to require registration for structured sober living homes. The legislation will also include a definition for structured sober living homes (Committee Final Report).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows a city, town or county to adopt by ordinance health and safety standards for structured sober living homes that comply with state and federal fair housing laws and the Americans with Disabilities Act.
2. Allows the standards, if adopted, to address at least the following:
 - a) a mandatory registration for all structured sober living homes that includes:
 - i. the name and address of the structured sober living home; and

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- ii. the property owner's name, address and contact telephone number, or if the property is leased, a copy of the lease that states that the property will be used as a structured sober living home.
 - b) supervision requirements in the home for the residents during all hours of operation; and
 - c) the establishment and maintenance of an operation plan that facilitates the rehabilitative process, including discharge planning, and that addresses the maintenance of the property and noise abatement consistent with local ordinances.
- 3. Allows a city, town or county that adopts standards for structured sober living homes to exclude from regulation any structured sober living home that is subject to adequate oversight by another governmental entity or contractor.
- 4. Defines *structured sober living home* as any premises, place or building that provides alcohol-free or drug-free housing, promotes independent living and life skill development and provides structured activities that are directed primarily toward recovery from substance use disorders in a supervised setting to a group of unrelated individuals who are recovering from drug or alcohol addiction and who are receiving outpatient behavioral health services for substance abuse or addiction treatment while living in the home.
- 5. Excludes from the definition of structured sober living home a private residence in which a related family member is required to receive outpatient behavioral health services for substance abuse or addiction treatment as a condition of continuing to reside in the family dwelling.
- 6. Becomes effective on the general effective date.

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